

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GEORGE JONES, :
Plaintiff, : Civil Action No. 03-528 **FILED**
-v- : Judge Gary Lancaster / 2005
JEFFERY BEARD, Et'al., : Magistrate Judge Lisa Pupo Lenihan, U.S. DISTRICT COURT
Defendants. : WEST. DIST. OF PENNSYLVANIA

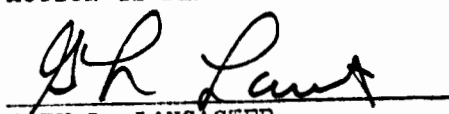
APPLICATION FOR RELIEF FROM JUDGMENT

COMES NOW, the Plaintiff, George Jones, disadvantaged in Propria Persona, moving pursuant to Rule 60(b)(6), for an order to reopen and set aside a judgment order entered in this matter on September 28, 2004, dismissing plaintiff's verified civil rights complaint for failing "to state a claim upon which relief may be granted against defendants under 42 U.S.C. § 1983." Plaintiff's allegation, prison rules were void for vagueness and unconstitutional was capriciously disregarded.

Subsequent to this Court's ruling, a federal district court properly addressed the legal question pleaded in Plaintiff's verified complaint and found in favor of the prisoner plaintiff.

It established the right to adequate notice and be free of arbitrary government action, based on over broad or vague prison regulations, survived Sandin v Conners. See, Cassels v Stalder, 342 F.Supp. 2d. 555 (M.D. LA 2004). There the federal district court held: prison disciplinary rule unconstitutionally vague on its face and as applied; and unconstitutionally over-broad on its face and as applied.

AND NOW, THIS 15th DAY OF
March 06, IT IS HEREBY
ORDERED THAT THE WITHIN
MOTION IS DENIED.


GARY L. LANCASTER,
UNITED STATES DISTRICT JUDGE

FILED

SEP 27 2005

CLERK, U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA